

Attorney Docket No. 52493.000369

Application No. 10/777,728

**REMARKS**

Claims 1-24 are pending in the application. This response includes amendments to claims 6 and 21-23. Support for these amendments may be found at least in paragraphs 0026, 0045 and 0050 of the instant application. In particular, claim 6 is amended to recite features relating to determining that the conversion of the second string has failed. The applied art fails to teach such features, in addition to the various deficiencies of the applied art, as described below.

Applicants have carefully reviewed the Office Action. Applicants respectfully request reconsideration of this application in view of the following remarks.

1. Response to the Rejection under 35 U.S.C. § 101

In the Office Action, claims 21- 24 are rejected under 35 U.S.C. 101 the claimed invention is allegedly directed to non-statutory subject matter. In the Office Action, the Examiner suggests to replace the term "tangible" with "a storage media" in order to resolve the problem.

The application has been amended in response to the Examiner's suggestion. Accordingly, Applicants respectfully request that the rejection of claims under 35 U.S.C. § 101 be withdrawn.

2. Response to the Rejection under 35 U.S.C. § 103(a)

The Action rejects claims 1-24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,449,624 to Hammack et al. ("Hammack") in view of U.S. Pat. App. Pub. No. 20004/0143791 to Ito et al. ("Ito"). Applicants respectfully traverse this rejection.

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A. Response to the Rejection of Claims 1, 11, and 23

Applicants respectfully traverse the rejection of claims 1, 11, and 23 as the Action fails to establish a *prima facie* case of obviousness. For at least the following reasons, as well as those reasons set forth in the January 29, 2007 Response, the Action does not establish a *prima facie* case of obviousness to reject claims 1, 11, and 23 based on Hammack and Ito, alone or in combination, because the applied references do not disclose each and every claim element recited in these claims.

The features of claim 1 are set forth above.

As was discussed in the prior Response, Hammack and Ito, alone or in combination, do not disclose "saving data as a plurality of *software components* at a server; converting the plurality of *software components* into a first string and a second string" (emphasis added), as recited in claim 1. To reject the claimed "saving data as a plurality of software components at a server," the Action alleges that this "corresponds to the data stored in configuration database 100 in FIG. 4 of Hammack (col. 8, lines 47-50 of Hammack)." To reject the claimed "converting the plurality of software components into a first string and a second string," the Action alleges that the claimed first string "corresponds to the string of characters in FIG. 14 of Hammack," which the Action alleges is "an XML file" and that the claimed second string "correspond[s] to the string that [is] stored in the version control database (col. 21, lines 40-43 of Hammack)."

From the analysis presented in the Action, it is readily apparent that the Action is dissecting claim 1 into discrete claim elements without any relationship as to how the claim specifies that these claim elements *interrelate*. Specifically, the Office rejects the claimed "plurality of software components" appearing in claim 1, line 3 differently than how the Office rejects the claimed "plurality of software components" appearing in claim 1, line 4. To reject the

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claimed "saving data as a plurality of software components at a server," the Office relies on data stored at the configuration database 100 of Hammack. See Action, p. 4, *citing* Hammack, FIG. 4, col. 8, ll. 47-50. Hammack discloses that the configuration database 100 "stores data representative of the current configuration of [a] process" (emphasis added). See Hammack, col. 7, ll. 19-23.

Contrarily, when the claimed "software components" appear in the following line of the claim, the Office then relies on version control data stored at the version control and audit trail (VCAT) system 98, instead of the data representative of the current configuration of a process stored in the configuration database 100. See Action, p. 5, *citing* Hammack, FIG. 1, col. 21, ll. 40-43. Hammack discloses that the VCAT system 98 "cooperates with the configuration applications 96 to record and administer historical information regarding the configuration of the process." See Hammack, col. 7, ll. 13-19. This inconsistency in the rejection makes it immediately apparent that Hammack does not disclose the claimed saving and converting of "software components" because the Office has not shown that Hammack discloses both of these operations being performed on one of: (1) the "data representative of the current configuration of [a] process" stored at the configuration database 100 of Hammack or (2) the "historical information" stored at the VCAT system 98 of Hammack. Thus, the Office has not shown that Hammack discloses "saving data as a plurality of *software components* at a server" in combination with "converting the plurality of *software components* into a first string and a second string," as recited in claim 1. The Office does not rely on Ito for a disclosure of these claim features. Hence, because the Office has not shown that Hammack and Ito, alone or in combination, disclose all of the claim elements, the Office has not established a *prima facie* case of obviousness.

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The Office Action appears to attempt to address the above deficiencies in the "Response to Arguments."

That is, on page 6, the Office Action asserts:

Applicant defined "software component" in the disclosure as follow" the entered data may be saved as a collection of software components" (paragraph 0021 of the disclosure).

Applicant traverses such assertion as being a mischaracterization of Applicant's disclosure. It appears the Office Action asserts that some "definition" has been set forth in the application. Applicant notes, of course, that the application does indeed disclose that "entered data may be saved as a collection of software components" (paragraph 0021). However, such is not seen as a "definition" of a software component. Rather, such disclosure is simply asserting that entered data may be saved as a collection of software components.

Further, on page 7, the Office Action asserts:

Hammack teaches a system for controlling a process in a computer readable medium (abstract). Data is stored in both version control database and configuration database (col. 8, lines 1 - 2). Therefore, either the data in the version control database or configuration database is considered as "software component" in the claim language. The database can be located anywhere (col. 8, lines 1 - 14). This including the meaning of a server can be include these databases .

However, Applicant respectfully submits that such assertion fails to address the arguments set forth above. As noted above, from the analysis presented in the Action, it is apparent that the Action is dissecting claim 1 into discrete claim elements without any relationship as to how the claim specifies that these claim elements *interrelate*. That is, Hammack fails to teach the claimed features set forth in claim 1, and the interrelationship between such features, as described above. In response to the arguments above, the Office

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Action asserts that "either" data may be considered (see the Office Action, page 7, line 3). However, such fails to address Applicant's argument that the claimed interrelationship of features is not set forth by Hammack, and is not cured by Ito.

Further, Hammack and Ito, alone or in combination, do not disclose "transmitting the compressed first string and the compressed second string to a receiving server" in combination with "storing the compressed first string and the compressed second string in a relational database," as recited in claim 1. To reject these claim elements, the Action alleges that "Hammack teaches that the document is transmitted to the version control database." See Action, p. 4. It is unclear to what "document" the Action is referring. Clarification is respectfully requested. Nevertheless, based on the repeated citations to column 21, lines 40-43 in Hammack (see Action, p. 7), the Office appears to be arguing that this section of Hammack discloses the claimed transmitting and storing of a first string and of a second string. Applicants respectfully disagree.

In this paragraph, Hammack discloses:

To generate the textual information representative of the configuration version, the VCAT system 98 executes a routine that generally accesses the version control database 102 to export the pertinent data in a manner that can be translated into either a text- or graphical-based format. To this end, during a check-in operation, the VCAT system 98 stores a text-based representation of the version control data in a file in accordance with a markup language, such as XML (Extensible Markup Language). The text contained in the XML document that is generated at this point may be serialized into a single character string that is stored in the version control database 102. More particularly, in one embodiment, each versionable item may have a database record corresponding to each configuration version. In that case, each configuration version record has a field dedicated to having a single character string of XML text stored therein that represents the version control data associated with the configuration version. Preferably, these configuration version records make up one table of a plurality of tables in the *version control database 102, which, in this case, is a relational database.* The relational database may include other tables directed to storing the following: (1) whether each versionable item is deleted, the current version identifier, whether the item is currently checked out and, if applicable, to whom; and, (2) the audit trail information for each versionable item. See Hammack, col. 21, ll. 33-57; emphasis added.

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Thus, Hammack discloses: (1) the VCAT system 98 stores a text-based representation of the version control data in a file in accordance with a markup language, such as XML (Extensible Markup Language); and (2) the text contained in the XML document may be serialized into a single character string that is stored in the version control database 102, which may be a relational database.

Clearly this cited section of Hammack does not disclose that the VCAT system 98 transmits both (1) *the text-based representation of the version control data in a file in accordance XML* to the version control database 102 for storage in a relational database; and (2) the text contained in the XML document that is *serialized* into a single character string for storage in the relational database. Rather, the columns of Hammack cited in the Action only disclose that serialized text of an XML document, but not the text-based representation of the version control data in a file that is in accordance XML, is stored in the version control database 102. See Hammack, col. 21, 40-43. Hence, Hammack does not disclose "*transmitting* the compressed first string *and* the compressed second string *to a receiving server*" (emphasis added) in combination with "*storing* the compressed first string *and* the compressed second string *in a relational database*" (emphasis added), as recited in claim 1. The Office does not rely on Ito as disclosing these claim features. Rather, Ito is simply relied upon for a method and system for compress an XML code to a binary format, and teaching that the code is compressed and stored in storage. Thus, quite simply, the Office Action has identified deficiencies in Hammack that the Office Action fails to even allegedly cure by Ito. Thus, the asserted rejection is clearly deficient.

Accordingly, because the Office has not shown that Hammack and Ito, alone or in combination, disclose all of the claim elements, the Office has not established a *prima facie* case

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of obviousness. Thus, the rejection of claim 1 under 35 U.S.C. § 103(a) is improper and Applicants respectfully request that the rejection be withdrawn.

Therefore, claim 1 is in condition for allowance and allowance thereof is respectfully requested. Claims 2-5, 11-15, 21, and 23 are allowable for reasons analogous to those given in support of claim 1 and allowance thereof is respectfully requested.

**B. Response to the Rejection of Claims 6, 16, and 24**

On page 8, the Action rejects claims 6, 16, and 24. Applicants respectfully traverse this rejection.

Hammack and Ito, alone or in combination, do not disclose "determining whether the second string was converted" in combination with "converting the first string to an original plurality of software components *if the second string was not converted*," as recited in claim 6.

As was discussed in the prior response, after thoroughly reviewing the Action, Applicants have been unable to identify where the Office addresses the above identified claim elements. That is, Hammack does not disclose "determining whether the second string was converted" in combination with "converting the first string to an original plurality of software components if the second string was not converted," as recited in claim 6. The Office does not rely on Ito as disclosing these claim features. Clarification of this aspect of the rejection is requested, and does not appear to be further addressed in the present Office Action.

Accordingly, because the Office has not shown that Hammack and Ito, alone or in combination, disclose all of the claim elements, the Office has not established a *prima facie* case of obviousness to reject claim 6. Thus, the rejection of claim 6 under 35 U.S.C. § 103(a) is improper and Applicants respectfully request that the rejection be withdrawn.

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Therefore, claim 6 is in condition for allowance and allowance thereof is respectfully requested. Claims 7-10, 16-20, 22, and 24 are allowable for reasons analogous to those given in support of claim 6 and allowance thereof is respectfully requested.

Therefore, all claims are believed to be in condition for allowance and allowance thereof is respectfully requested.

### 3. Conclusion

For at least the reasons outlined above, Applicants respectfully assert that the application is in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully solicited. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below. For any fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Date: July 16, 2007

By: \_\_\_\_\_

James R. Miner  
Registration No. 40,444

Hunton & Williams LLP  
1900 K Street, N.W., Suite 1200  
Washington, D.C. 20006-1109  
(202) 955-1500 (Telephone)  
(202) 778-2201 (Facsimile)